

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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MONA C. TURNER,

Plaintiff,

Civil No. 07-CV-10642
(LBS) (GWG)

-against-

ECF CASE

ELVIN A. ORTEGA and LAWRENCE UNITED
EXPRESS,

NOTICE OF REMOVAL

Defendants.

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TO: THE JUDGES OF THE UNITED STATES DISTRICT
COURT FOR THE SOUTHERN DISTRICT OF NEW YORK

Defendants, ELVIN A. ORTEGA and LAWRENCE UNITED EXPRESS, by
their attorneys, BRAND GLICK & BRAND, P.C., respectfully represent
as follows:

1. The plaintiff commenced an action supported by a
Complaint, entitled MONA C. TURNER, vs. ELVIN A. ORTEGA and
LAWRENCE UNITED EXPRESS, in the New York State Supreme Court,
County of Bronx, Index No.: 301300/07. A true and correct copy of
the Complaint is annexed hereto as Exhibit "A".

2. The above-entitled State Court action is one in which
this Court has original jurisdiction under the provisions of 28
U.S.C. § 1332, and is one which may be removed pursuant to the
provisions of 28 U.S.C. §1441, in that it is a civil action,
wherein the matter in controversy exceeds the sum of \$75,000.00,
exclusive of interest and costs, and is between citizens of
different states.

3. As set forth in the Complaint, the plaintiff brings a
claim for personal injuries allegedly caused by the negligence of
the defendants in a motor vehicle accident that occurred in Bronx
County, State of New York. Plaintiff seeks monetary damages in the
amount of one million dollars.

4. As alleged in the Complaint, plaintiff resides in Bronx County, New York. Defendant, ELVIN A. ORTEGA resides in Massachusetts and defendant, LAWRENCE UNITED EXPRESS similarly resides in Massachusetts.

5. It is clear then, that diversity of citizenship is established.

WHEREFORE, defendants pray that the above action now pending against them in the Supreme Court of the State of New York, County of Kings be removed therefrom to this Court.

Dated: Garden City, New York
November 27, 2007

Respectfully submitted,

BRAND GLICK & BRAND, PC
Attorneys for Defendants
ELVIN A. ORTEGA and LAWRENCE UNITED
EXPRESS,

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